

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CR-00071-DGK-01
)	
JAMARIOUS K. BRAXTON,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION

On July 8, 2021, Counsel for Defendant moved for a determination of Defendant's mental competency to stand trial. ECF No. 36. On July 13, 2021, Magistrate Judge Brian Gaddy granted the motion and, pursuant to 18 U.S.C. §§ 4241 and 4247(b), directed Defendant undergo a psychological examination. ECF No. 37. Leticia Armstrong, Psy. D., prepared a report opining that Defendant was competent to stand trial. ECF No. 46.

Judge Gaddy held a competency hearing on October 22, 2021, and Defendant and the Government stipulated that Dr. Armstrong would testify consistent with her report. On November 12, 2021, Judge Gaddy entered a Report and Recommendation which recommended Defendant be declared competent to stand trial. ECF No. 51. Neither party filed an objection.

After an independent, de novo review of the record and applicable law, the Court ADOPTS the Report and Recommendation of Magistrate Judge Brian Gaddy in its entirety and finds that Defendant is competent to stand trial. It is further ORDERED that, pursuant to 18 U.S.C. § 3161(h)(1)(A), the time between July 8, 2021, and the date of this order is excluded in computing the time within which trial must commence.

IT IS SO ORDERED.

Date: November 30, 2021

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT